

SUBSTITUTE ORDINANCE NO. BL2019-1526

An Ordinance amending Metropolitan Code Chapter 6.80 to require ~~commercial parking lots to~~ the display of certain signage if towing and relative to the towing of unauthorized vehicles.

WHEREAS, towing is a common practice in private parking lots across Nashville; and

WHEREAS, while many parking lots post the contact information for towing companies, there is no requirement to do so, which can lead to confusion for owners of vehicles which have been towed; and

WHEREAS, the Metropolitan Nashville Police Department (MNPd) resources may be impacted if owners of towed vehicles are unaware that their vehicles have been towed, who often call the MNPd to report a stolen vehicle; and

WHEREAS, required signage would assist in notifying owners of towed vehicles of the location of their vehicle and the appropriate party to contact while limiting the need to involve the MNPd and conserve resources related to public safety.

NOW THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Metropolitan Code Section 6.80.195 is hereby created with the following language:

6.80.195 - Signage—Unpaid parking violations.

- A. ~~No vehicle parked at a commercial parking lot shall be towed unless a permanently affixed sign measuring not less than twenty-four inches in height and eighteen inches in width is placed at all points of vehicular ingress to the lot, which sign shall include at least the following information in red lettering on a white background:~~

~~Parking Policy Strictly Enforced~~

~~Violators will be Towed at Owner's Expense~~

~~[Name and 24-hour phone number of towing company]~~

No towing shall occur from a private parking lot unless a permanently affixed sign measuring not less than twenty-four inches in height and eighteen inches in width is placed at the property's intended ingress/egress. All signage must be inspected by the TLC staff within seven days of installation and must bear a decal affixed by TLC staff to indicate compliance after inspection is complete. The TLC Director may, if necessary, require additional signage for notification.

Such signs shall include the following information in red lettering on a white background:

Parking Policy Strictly Enforced

Violators will be Booted or Towed at Owner's Expense

\$75.00 Maximum Booting fee

[Name and 24-hour phone number of booting and/or towing company].

- B. Such signs shall be not less than forty-two and not more than seventy-two inches from the ground.
- C. If a vehicle parked at an unattended commercial parking lot is towed for failure to pay the required parking charge, the owner or operator of the unattended commercial parking lot may require the owner of the vehicle to pay the applicable towing fee plus all unpaid parking fines in order to have the car returned.

Section 2. That Metropolitan Code Section 6.80.452 is hereby created with the following language:

6.80.452 – Towing of unauthorized vehicles

- A. A licensee may tow an unauthorized vehicle from private property only upon the approval of the owner of the private property or the agent of lessee of the owner.
- B. If a licensee tows an authorized vehicle in violation of this section, the licensee shall provide a full refund to the vehicle owner or operator for any towing fee paid, plus fifty dollars. Whether a violation of this section has occurred shall be determined by the MTLC

Section ~~23~~. This Ordinance shall take effect from and after its adoption, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

INTRODUCED BY:

Kathleen Murphy
Member of Council